

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DIANNE L. KELLEY,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

No. C07-475MJP

ORDER REGARDING CR 37 JOINT
SUBMISSION

This matter comes before the Court on the parties' joint submission under Local Civil Rule 37 regarding issues related to discovery production and the deposition of Defendant's 30(b)(6) witness. (Dkt. No. 148.) Having considered the CR 37 submission, the documents submitted in support thereof, and the balance of the record, the Court ORDERS as follows:

- 1) Plaintiffs' motion for an order precluding Microsoft from introducing evidence contrary to or in addition to its 30(b)(6) testimony on the "existence, location and meaning of documents . . . which describe, include or relate to" the 30(b)(6) topics is denied.
- 2) If Plaintiffs wish to re-depose 30(b)(6) witness Kathryn Griffith at the end of document production, they may do so at their own expense.
- 3) Because it appears that the "notebook" documents referred to in Ms. Griffith's deposition have been produced, any request for those documents is now moot.

Dated: July 15, 2008.



Marsha J. Pechman
United States District Judge